

Notice of Allowability

Application No.

10/054,160

Examiner

Scott A. Rogers

Applicant(s)

HARA ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 4/11/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Applicant was advised in a telephone interview with Tom Tarnay on April 26, 2006 that an examiner's amendment to the claims would place the case in condition for allowance. A copy of the amendment was sent by facsimile to applicant on April 27, 2006. Applicant responded with approval for the amendment on April 28, 2006.

Regarding the Claims

In claim 1:

on line 9, after "selecting", deleted "the";

on line 10, before "compensation", deleted "the", and after "processes", inserted ---executed---;

on line 12, after "forming", deleted "a"; and

on line 13, before "information", changed "image" to ---selected---.

In claim 2:

on line 2, changed "image information" to ---information with respect to the compensation processes---, and changed "east one" to ---least one of---.

In claim 3:

on line 10, after "selecting", inserted ---information with respect to---;

on line 13, after "forming", deleted "a"; and

on line 14, before "information", inserted ---selected---

In claim 5:

on line 2, before "recording", deleted "a", and at the end of the same line, deleted "an";

on line 3, before "information", deleted "an";

on line 4, before "external", deleted "an";

on line 5, before "compensator", inserted ---output---

on line 6, before "using", deleted "with"; and

on line 13, before "compensator", inserted ---output---, and before "compensation", deleted "the"

In claim 6:

on line 9, before "compensator", inserted ---input---

on line 12, after "selecting", deleted "the";

on line 13, before "compensation", deleted "the", and after "processes", inserted ---executed---

on line 14, before "compensator", inserted ---input---

on line 15, after "forming", deleted "a"; and

on line 16, before "information", changed "image" to ---selected---

In claim 7:

on line 2, changed "image information" to ---information with respect to the compensation processes executed by the input compensator---, and changed "east one" to ---least one of---

In claim 8:

on line 13, after "selecting", inserted ---information with respect to---;

on line 16, after "forming", deleted "a"; and

on line 17, before "information", inserted ---selected---.

In claim 10:

on line 8, before "compensator", inserted ---input---;

On line 11, after "selecting", deleted "the";

on line 12, before "compensation", deleted "the", and after "processes", inserted
---executed---;

on line 13, before "compensator", inserted ---input---;

on line 14, after "forming", deleted "a";

on line 15, before "information", changed "image" to ---selected---;

on line 21, before "compensator", inserted ---output---;

on line 22, changed "with" to ---included in the recording data---, and before
"information", inserted ---selected---;

on line 28, deleted "compensated" and after "image data", inserted
---compensated by the output compensator---; and

on line 29, changed "image" to ---output---, and after "executes, deleted "the".

In claim 11:

On line 2, changed "image" to ---selected---, and changed "east one" to ---least
one of---.

In claim 12:

on line 12, after "selecting", inserted ---information with respect to---;
on line 15, after "forming", deleted "a";
on line 16, before "information", inserted ---selected---;
on line 23, before "compensator", inserted ---output---;
on line 24, changed "with" to ---included in the recording data---, and before
"information", inserted ---selected---;

on line 30, deleted "compensated" and after "image data", inserted
---compensated by the output compensator---; and
on line 31, changed "image" to ---output---, and after "executes, deleted "the".

In claim 14:

on line 9, before "preparation", inserted ---a---, and after "state", inserted ---,---;
on line 10, changed "prior stage of" to ---stage prior to an---, and after
"operation", inserted ---,---;

on line 12, before "image", deleted "an";
on lines 13-14, deleted "in the preparation state";
on line 16, after "object", deleted "with", and before "first", deleted "a";
on line 17, before "first", deleted "a", and changed "outputted" to ---output---;
on line 20, after "object", deleted "with", and before "second", deleted "a";
on line 21, before "second", deleted "a", and changed "outputted" to ---output---;
on line 22, changed "acted on" to ---executed by---;
on line 29, changed "acted on" to ---executed by---; and
on line 32, deleted "with".

In claim 15:

on line 4, changed "outputted" to ---output---; and

on line 9, changed "outputted" to ---output---.

In claim 16:

on line 4, changed "outputted" to ---output---; and

on line 10, changed "outputted" to ---output---.

In claim 17:

on line 3, changed "judges" to ---judge---.

In claim 18:

on line 9, before "preparation", inserted ---a---, and after "state", inserted ---,---

on line 10, changed "prior stage of" to ---stage prior to an---, and after
"operation", inserted ---,---

on line 12, before "image", deleted "an";

on lines 13-14, deleted "in the preparation state";

on line 16, after "object", deleted "with", before "first", deleted "a", and changed
"outputted" to ---output---;

on line 19, after "object", deleted "with", before "second", deleted "a", and
changed "outputted" to ---output---;

on line 20, changed "acted on" to ---executed by---;

on line 29, deleted "with".

In claim 21:

on line 5, deleted "with".

Observations

Regarding the Specification

While understood by the examiner, the specification should be reviewed by applicant, and any grammatical and typographical errors found should be corrected by filing a 35 USC 312 amendment to improve the specification. The following are some examples of such corrections that should be made in just the first several pages of the specification.

In paragraph 0004, on line 4, "brightness," should be deleted. In paragraph 0008, on line 2, "outputted" should be deleted and on line 8, "data be reduced" should read ---data must be reduced---. In paragraph 0009, on line 8, "in respective of" should read ---with respect to---. In paragraph 0011, line 2, "properly executed" should be deleted and on line 3, "by" should be replaced by the language ---is properly executed---. In paragraph 13 and 14, on line 3, "of the" should be deleted.

Examiner's Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Referring to claims 1-21, the prior art searched and of record neither anticipates nor suggests in the claimed combinations, recording image data and associated information with respect to judgment of an image including a condition of an object and/or information with respect to a compensation process performed on the image data, and executing a proper compensation process to the image data using that information when the image is output.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

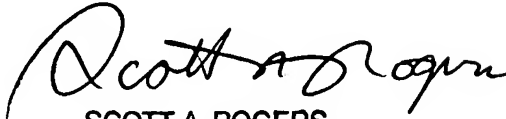
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A Rogers whose telephone number is 571-272-7467. The examiner can normally be reached Monday through Friday 6:00am-2:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Moore can be reached at 571-272-7437.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2600 Customer Service at 571-272-2600. Official correspondence by facsimile should be sent to 571-273-8300. The USPTO contact Center phone numbers are 800-PTO-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

28 April 2006


SCOTT A. ROGERS
PRIMARY EXAMINER